

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

RAMSEY KHALIDI, LLC, a Georgia)
Limited Liability Company,)
)
Plaintiff,)
)
v.)
)
THE PAPER TIGERS, INC, an)
Illinois Corporation,)
)
Defendant.)
_____)

CASE NO. CV417-230

U. S. DISTRICT COURT
Southern District of Ga.
Filed in Office

11/21/2017

O R D E R

Deputy Clerk

Before the Court is Defendant's Notice of Removal. (Doc. 1.) However, the jurisdictional allegations contained in the notice of removal are insufficient to establish complete diversity between the parties. Accordingly, Defendant is **DIRECTED** to file within fourteen days from the date of this order an amended notice of removal that lists the citizenship of Plaintiff's members.

The party invoking this Court's diversity jurisdiction bears the burden of adequately pleading complete diversity. See 28 U.S.C. § 1332; Ray v. Bird & Son Asset Realization Co., 519 F.2d 1081, 1082 (5th Cir. 1975)¹ ("The burden of pleading diversity of citizenship is upon the party invoking federal

¹ In Bonner v. City of Prichard, 661 F.2d 1206, 1209 (11th Cir. 1981) (en banc), the Eleventh Circuit adopted as binding precedent all decisions of the former Fifth Circuit handed down prior to October 1, 1981.

jurisdiction, and if jurisdiction is properly challenged, that party also bears the burden of proof."). For the purposes of diversity jurisdiction, a limited liability company ("LLC") is a citizen of every state in which any of its members are citizens. Rolling Greens MHP, L.P. v. Comcast SCH Holdings L.L.C., 374 F.3d 1020, 1021-22 (11th Cir. 2004). The Eleventh Circuit Court of Appeals has been explicit in addressing the proper method to allege sufficiently the citizenship of a LLC: "a party must list the citizenships of all the members of the limited liability company." Id. at 1022. Furthermore, the general allegation that no member of an LLC is a Georgia citizen is insufficient for defendants to carry their burden of establishing complete diversity between the parties. Ray, 519 F.2d at 1082.

In this case, the notice of removal does not include a list of the individual members, along with their citizenships, of Plaintiff Ramsey Khalidi, LLC. The notice merely states that "Plaintiff is a Georgia Corporation organized and existing under the laws of the State of Georgia with its principal place of business in the State of Georgia." (Doc. 1 ¶ 3.) As discussed above, this is not sufficient to establish complete diversity. Accordingly, Defendant is **DIRECTED** to file an amended notice of removal within fourteen days from the date of this order listing all members of Plaintiff Ramsey Khalidi LLC and their

citizenships.² All other deadlines in this case will remain unchanged.

SO ORDERED this 21st day of November 2017.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

² The Court will not accept any amended notice of removal that incorporates by reference any factual allegation or argument contained in an earlier filing, or offers only a piecemeal amendment. Defendant's amended notice of removal should be a stand-alone filing that independently contains all the factual allegations necessary to establish diversity between the parties.